

### **REMARKS**

In the final Office Action<sup>1</sup>, the Examiner rejected claims 1-7 and 15-21 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,584,210 to Taguchi et al. ("*Taguchi*"); and rejected claims 8-14 and 22-28 under 35 U.S.C. § 103(a) as being unpatentable over *Taguchi* in view of U.S. Patent No. 6,330,672 to Shur ("*Shur*").

Applicant respectfully traverses the rejection of claims 1-7 and 15-21 as allegedly anticipated by *Taguchi*.

Independent claim 1, for example, recites an information processing apparatus comprising, among other things, a "communicating means for transmitting the detection signal to a watermark detection server over a network." *Taguchi* fails to teach or suggest at least the claimed communicating means.

*Taguchi* discloses an information processing apparatus with an adding unit that adds information to image data by changing a data value of image data, and a detecting unit that detects the added information (*Taguchi*, abstract). *Taguchi* further discloses that the information processing apparatus can be a computer with a storage apparatus, and the image data can be stored in the storage apparatus (*Taguchi*, col. 3, lines 19-36). However, *Taguchi* fails to disclose a watermark detection server. Indeed, *Taguchi*'s teachings are directed to processing performed within a single computer, and *Taguchi* fails to disclose transmitting the image data to a server of any kind. *Taguchi*, therefore, fails to teach or suggest the claimed "communicating means for transmitting the detection signal to a watermark detection server over a network."

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

*Taguchi* thus does not anticipate claim 1, and Applicant respectfully requests the allowance of claim 1. Although of different scope than claim 1, *Taguchi* does not anticipate claim 15 for at least the same reasons as claim 1.

Claims 2-7 depend from claim 1, and claims 16-21 depend from claim 15. Because *Taguchi* does not support the rejection of independent claims 1 and 15 under 35 U.S.C. § 102(e), *Taguchi* also does not support the rejection of dependent claims 2-7 and 16-21.

Applicant respectfully traverses the rejection of claims 8-14 and 22-28 under 35 U.S.C. § 103(a). Claims 8-14 depend from claim 1, and claims 22-28 depend from claim 15. As already discussed, *Taguchi* fails to teach or suggest the claimed communicating means.

*Shur* does not teach or suggest a “communicating means for transmitting the detection signal to a watermark detection server over a network.” *Shur* discloses, “a digital watermark is inserted into a quantized digital information signal resulting from the perceptual coding process in such a manner that its insertion is imperceptible to one later listening to, displaying or otherwise utilizing the information signal.” (*Shur*, abstract). However, even assuming the digital watermark or quantized digital information signal corresponds to the claimed detection signal, *Shur* fails to disclose that either the digital watermark or quantized digital information signal is transmitted to another apparatus. *Shur*, therefore, fails to teach or suggest the claimed “communicating means for transmitting the detection signal to a watermark detection server over a network.”

Dependent claims 9 and 23 recite additional features not taught or suggested by the cited references. Claim 9, for example, recites an information processing apparatus according to claim 6, wherein “the predetermined parameter sets a playback interval of an information signal on which the digital watermark information is superimposed.” While the Examiner concedes that *Taguchi* fails to disclose this subject matter, the Examiner alleges that *Shur* discloses the claimed predetermined parameter (Office Action at p. 5, citing *Shur* col. 6, lines 1-37).

The cited portions of *Shur* disclose generating N sample points from an input digital stream according to a compression algorithm (*Shur* col. 6, lines 2-19). Next, coefficients for the N sample points are provided to a quantization step that selects a scale factor for the N coefficients before quantizing the coefficients (*Shur*, col. 6, lines 24-37). However, generating sample points is not the same as setting a playback interval. Indeed, the sample points are generated with a compression algorithm, and compression algorithms are understood by those skilled in the art to reduce the number of bits in a digital stream without affecting the playback interval of the digital stream. Therefore, *Shur* fails to teach or suggest “the predetermined parameter sets a playback interval of an information signal on which the digital watermark information is superimposed” as recited in claim 9. Claim 23, although of different scope than claim 9, also recites subject matter not taught by the cited references.

Because the cited references fail to teach or suggest the subject matter of claims 8-14 and 22-28, no prima facie case of obviousness has been established with respect to these claims. Applicant therefore respectfully requests the Examiner to withdraw the rejection of these claims under 35 U.S.C. § 103(a).

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-28 in condition for allowance. The final action presented new arguments as to the application of the art against Applicants' invention, and entering the Amendment would allow the Applicants to reply to the final rejections and place the application in condition for allowance.

Applicants further submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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